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Human resources management

Activities of the Ethics Office

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 60/254, entitled "Review of the efficiency of the administrative and financial functioning of the United Nations", in which the Assembly requested the Secretary-General to report annually on the activities of the Ethics Office and the implementation of ethics policies. The report also includes information on the activities of the Ethics Panel of the United Nations, as requested by the Assembly in its resolution 63/250 on human resources management.

The present report covers the period from 1 August 2016 to 31 December 2017, as the Secretary-General proposed in his previous report (A/71/334).

* A/73/50.

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Contents

		Page
I.	Introduction	3
II.	Background and general information	3
III.	Activities of the Ethics Office	6
	A. Advice and guidance	6
	B. Financial disclosure programme	9
	C. Protection against retaliation	12
	D. Outreach, training and education	16
	E. Standard-setting and policy support	17
IV.	Ethics Panel of the United Nations and Ethics Network of Multilateral Organizations	17
V.	Observations and conclusion	19
Annex		
	Financial disclosure programme compliance level, 2016 and 2017	22

I. Introduction

1. The present report of the United Nations Ethics Office, the twelfth since the establishment of the Office in 2006, is submitted in accordance with paragraph 16 (i) of General Assembly resolution 60/254.

2. The mandate of the Ethics Office is to assist the Secretary-General in ensuring that staff members perform their functions in accordance with the highest standards of integrity required by the Charter of the United Nations. The present report provides an overview of the activities carried out by the Office from 1 August 2016 to 31 December 2017. As proposed in the previous report of the Secretary-General on the Ethics Office (A/71/334) and noted without objection by the Advisory Committee on Administrative and Budgetary Questions in its report on human resources management (A/71/557), the reporting period has been adjusted to the calendar year. This change harmonizes the reporting cycle with that of other reports on human resources management and the reports of other members of the Ethics Panel of the United Nations.[1]

3. In carrying out its work, the Ethics Office kept abreast of the developments occurring in its operating environment. The current Secretary-General took office at the beginning of 2017. In its work, the Office was cognizant of the Secretary-General's vision behind his management reform, particularly that the United Nations must move to a culture that better manages administrative and mandate delivery risks (see A/72/492, para. 15). It operated according to the preventive role assigned to the ethics function as part of the second line of defence in the "three lines of defence" model adopted by the United Nations System Chief Executives Board for Coordination.[2]

II. Background and general information

4. The Ethics Office was established by the Secretary-General as an independent unit of the Secretariat, pursuant to paragraph 161 (d) of General Assembly resolution 60/1. In accordance with the Secretary-General's bulletins entitled "Ethics Office — establishment and terms of reference" (ST/SGB/2005/22) and "United Nations system-wide application of ethics: separately administered organs and programmes (ST/SGB/2007/11 and ST/SGB/2007/11/Amend.1), the functions of the Office include:

(a) Providing confidential advice and guidance to staff on ethical issues, including administering an ethics helpline;

(b) Administering the Organization's financial disclosure programme;

(c) Administering the Organization's policy on protection against retaliation with regard to the responsibilities assigned to the Ethics Office;

(d) Developing standards, training and education on ethics issues, in coordination with the Office of Human Resources Management and other offices, and conducting ethics-related outreach;

(e) Supporting ethics standard-setting and promoting policy coherence within the Secretariat and among the Organization's funds and programmes.

[1] For purposes of comparison with preceding reporting periods, figures in the present report generally reflect data relating to the period from 1 January to 31 December 2017.

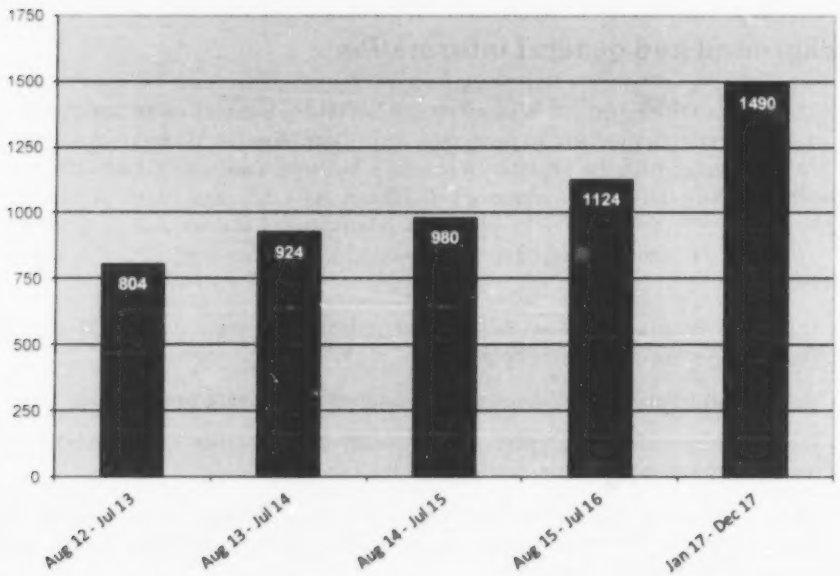
[2] See https://www.unsceb.org/content/action-management-issues-6.

5. With estimated regular budget resources of $3.6 million[3] for the biennium 2016–2017, the Ethics Office served the approximately 40,000 staff of the global Secretariat to promote and sustain an ethical organizational culture of integrity, accountability and transparency. From 1 August 2016 to 31 December 2017, the Office received 2,037 requests for services. Of those requests, 1,490 were received during the calendar year 2017. As shown in figure I, there has been a constant increase in the number of requests over the past five reporting periods, with the largest increase occurring in 2017.

6. The performance measures for the Ethics Office, as indicated in the proposed programme budget for the biennium 2016–2017, have been achieved or nearly achieved for 2017. To increase the ability of staff to detect ethics issues and apply ethical judgment, the Office conducted 173 outreach and briefing sessions in 2017 (compared with the 2017 target of 125) and resolved 804 enquiries (compared with the 2017 target of 475). In order to effectively administer the financial disclosure programme, the Office achieved 100 per cent submission of statements in 2016 and 99.9 per cent in 2017 (compared with the annual targets of 100 per cent). With regard to effective administration of the policy on protection against retaliation, the Office spent an average of 43 days in 2016 and 26 days on the preliminary review of related complaints in 2017 (compared with the target of 45 days), achieving 100 per cent compliance with the time requirement. In addition, the Office undertook a self-evaluation on the effectiveness of the services that it provides to peacekeeping missions.

Figure I

Overall requests for Ethics Office services over the past five reporting periods

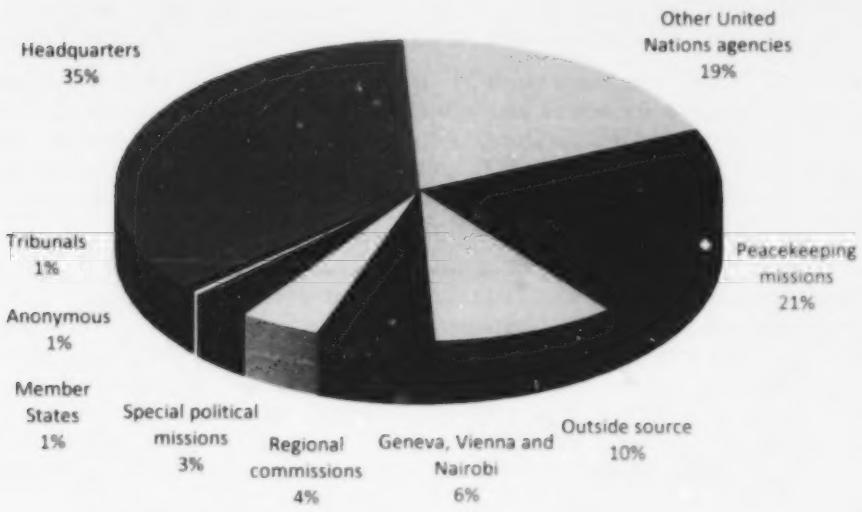


7. Although it is based in New York, the Ethics Office continues to receive many requests from other locations (see figure II). Its regular outreach activities saw the

[3] This amount excludes allotments received under the support account for peacekeeping operations and extrabudgetary funds for the financial disclosure programme for other United Nations agencies.

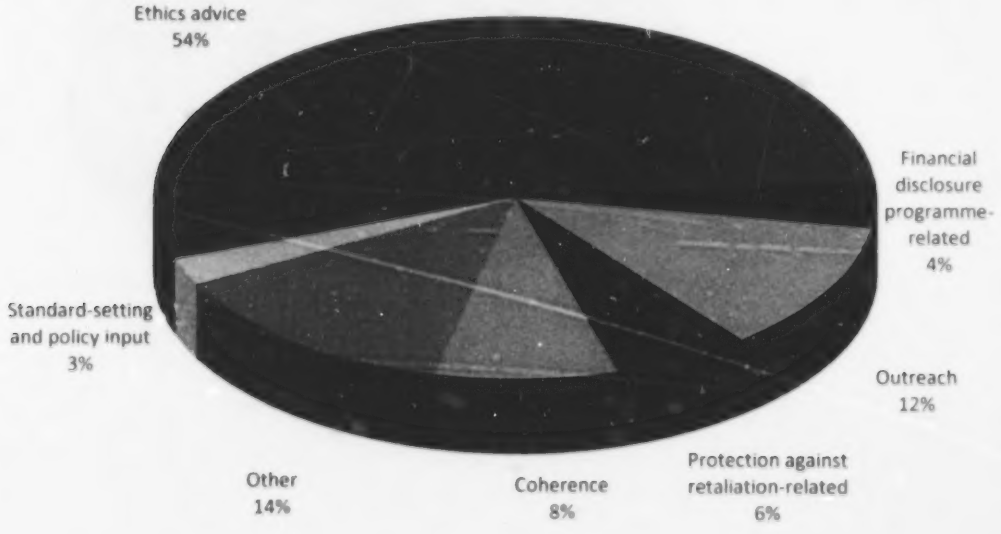
number of service requests increase from 804 five years ago (the 2012/13 reporting period) to 1,490 in 2017.

Figure II
Service requests in 2017, by source



8. Figure III shows that the majority (54 per cent) of the requests submitted in 2017 were for ethics advice. The number of requests for protection against retaliation also increased.

Figure III
Service requests in 2017, by category



III. Activities of the Ethics Office

A. Advice and guidance

9. The Ethics Office provides confidential advice and guidance through its dedicated email address (ethicsoffice@un.org), its helpline and by-appointment meetings. Requests are responded to within 48 hours. The Office provides support with regard to ethical dilemmas; the identification and management of actual, potential and perceived conflicts of interest; and the clarification of expected behaviours in accordance with the standards of conduct of the United Nations.

10. From 1 August through 31 December 2016, the Ethics Office responded to 272 requests for advice and guidance. They concerned: outside activities (91); employment-related matters (58); other conflicts of interest, including pre-appointment reviews (45); misconduct reporting procedures (24); gifts and hospitality (34); procurement ethics (12); personal investments and assets (2); and post-employment restrictions (6).

11. In 2017, the Ethics Office responded to 804 enquiries, representing a 23 per cent increase compared with the 622 requests cited in the previous report. As illustrated in figure IV, they concerned: outside activities (269); employment-related matters (202); pre-appointment vetting (96), other conflicts of interest, including personal investments/assets and post-employment restrictions (85); misconduct reporting procedures (69); gifts and honours (60); and institutional integrity matters (23). Figure V provides a comparison with preceding reporting periods in term of subcategories of advice. Some of these main areas are discussed in the paragraphs below.

Figure IV
Requests for ethics advice in 2017, by subcategory

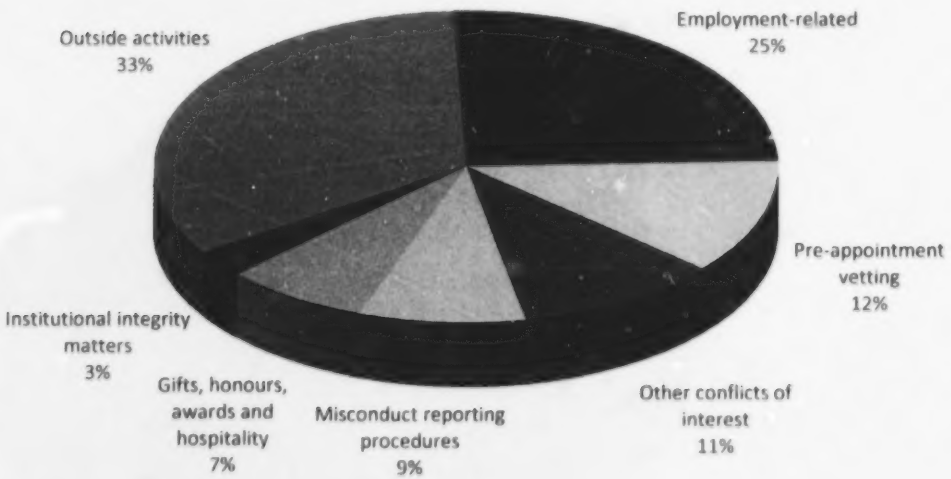
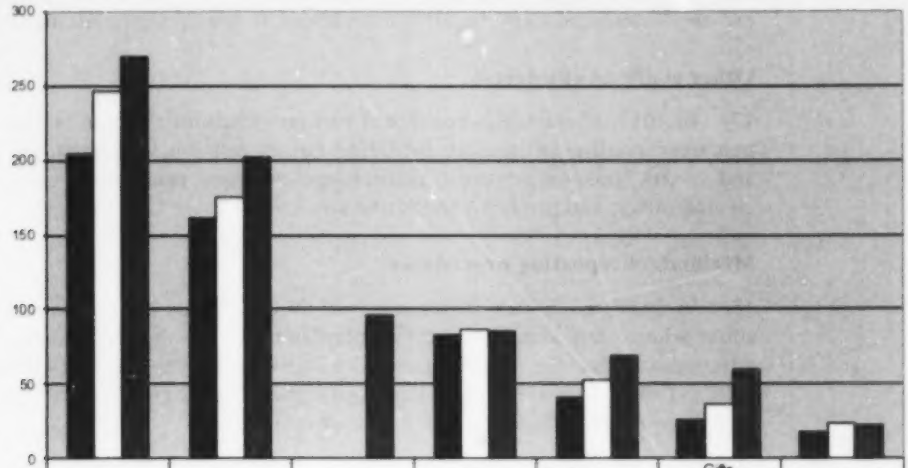


Figure V
Requests for ethics advice over three 12-month reporting cycles, by subcategory



	Outside activities	Employment-related	Pre-appointment vetting[a]	Other conflicts of interest	Misconduct reporting procedures	Gifts, honours, awards and hospitality	Institutional integrity matters
Aug 2014 - July 2015	204	161	-	83	41	26	18
Aug 2015 - July 2016	246	175	-	87	53	37	24
Jan 2017 - Dec 2017	269	202	96	85	69	60	23

[a] Pre-appointment vetting was introduced only in July 2016.

Outside activities

12. Thirty-three per cent of requests for ethics advice submitted in 2017 concerned outside activities. By providing advice on staff involvement in certain external activities, the Ethics Office helps staff to mitigate the risk of conflicts of interest and potential reputational harm to the Organization.

13. The 2017 Leadership Dialogue, entitled "Standards of conduct: what's expected of me?", led to enquiries concerning outside political activities and public pronouncements. The Ethics Office responded, and also provided guidelines for managers and published an iSeek article, on these issues.

Employment-related advice

14. Employment-related issues were the subject of 25 per cent of requests for ethics advice submitted in 2017. Clarification was requested on matters ranging from the Organization's policy on prohibited conduct to ethical behaviour in interpersonal and supervisory relations, career-related concerns and performance appraisal issues. The Ethics Office provided information and made referrals when needed.

Pre-appointment reviews

15. In July 2016, the Secretary-General introduced a pre-appointment disclosure-of-interest form for candidates under consideration for positions at the Under-Secretary-General and Assistant Secretary-General levels. Beginning in July 2017, this vetting requirement was expanded for senior positions in the field, such as force, police and deputy commanders. The Ethics Office examines the disclosed information against the duties and responsibilities of the proposed position, identifies possible conflicts of interest and recommends measures to eliminate or mitigate them. The

vetting process has enabled the Secretary-General to ensure that his senior officials enter the service of the United Nations responsible only to the Organization.

16. From 1 August through 31 December 2016, the Ethics Office reviewed 19 pre-appointment matters. In 2017, it reviewed 96 pre-appointment matters.

Other conflicts of interest

17. In 2017, 85 enquiries concerned various situations that can create an actual or perceived conflict of interest, including family relationships, personal investments and assets, post-employment restrictions, personal references, campaigning for elected office, and pro bono goods and services.

Misconduct reporting procedures

18. In 2017, the Ethics Office received 69 complaints of misconduct or requests about where staff should file their complaints. While the Office does not receive misconduct reports or resolve grievances, it directs staff to relevant offices or guides them in filing a formal report. In that regard, the Office routinely provides information on provisions regarding protection against retaliation.

Honours, decorations, favours and gifts

19. In September 2016, a global gift registry was launched on a pilot basis in follow-up to the administrative instruction on reporting, retaining and disposing of honours, decorations, favours, gifts or remuneration from governmental and non-governmental sources (ST/AI/2010/1). The pilot registry centralizes and automates the gift disclosure and approval process. The introduction of the registry generated a 43 per cent surge in related enquiries compared with the previous reporting cycle.

Institutional integrity matters

20. The Ethics Office provided advice on issues relating to conflicts of interest at the organizational unit level and other reputational risks. Such risks may affect the Organization's ability to carry out its mandates in a fair, objective and impartial manner. Examples include partnerships with private sector businesses to host events or promote activities supported by the United Nations, the acceptance of gifts to the Organization, or offers of support by implementing partners or non-United Nations entities.

Procurement ethics

21. The Ethics Office continued to provide independent advice to the Procurement Division of the Department of Management, particularly on corporate compliance programmes for the reinstatement of vendors. Such advice addressed the technical suitability of external ethics and compliance experts retained by vendors to independently verify whether the vendor's integrity initiatives provided sufficient assurance that it met United Nations requirements. Between August and December 2016, the Office responded to 12 requests related to procurement ethics. In 2017, it responded to queries about 23 vendors.

Due diligence and risk assessment process

22. The General Assembly, in paragraph 67 of its resolution 70/305 on the revitalization of its work, stressed the need for all contributions to the Trust Fund in support of the Office of the President of the General Assembly to be vetted through the Ethics Office.

23. In relation to that mandate, the Ethics Office has been working on a due diligence and risk assessment process for the acceptance of contributions from private individuals and entities. The process defines a consistent approach to the acceptance of private contributions and identifies accountability for assessment and decision-making. The aim is the creation of a framework to assist offices in their due diligence considerations.

Other matters

24. As shown in figure III, 14 per cent of the requests for service submitted in 2017 fell under a catchall "Other" category, including requests for general information, inputs for media enquiries and matters on which the Office has been alerted. The increase in 2017 stems from a more precise definition of this subcategory.

B. Financial disclosure programme

25. The primary purpose of the financial disclosure programme is to identify, mitigate and manage conflict-of-interest risks arising from staff members' financial holdings, private affiliations or non-United Nations activities. The programme is honour-based, with periodic rather than transaction-based disclosures. Designated staff members — those at the D-1 level and above whose principal duties involve procurement and investment, and Ethics Office staff — are required to file confidential annual statements. The review of submitted statements is conducted by a third-party service provider. The aforementioned pre-appointment vetting for conflicts of interest has also assisted in the early detection of possible conflicts of interest, allowing the Organization to manage them.

26. The reporting period covers two filing cycles: 2016 and 2017. During the 2016 filing cycle (covering the period from 1 January to 31 December 2015), 5,504 filers[4] participated, with a 100 per cent submission rate. Of that total, 1,086, or 19.7 per cent, were first-time filers. During the 2017 cycle (covering the period from 1 January to 31 December 2016), 5,811 filers[5] participated, with a 99.9 per cent submission rate. Of that total, 1,119, or 19.3 per cent, were first-time filers. Two filers failed to submit their statements and were referred to the Office of Human Resources Management for appropriate accountability measures.

27. The submission rates continued to be high, as in the past. However, some filers did not fully complete all procedures required for the closure of a review. These included responding to requests for clarification or additional information, providing third-party documentation for verification or confirming action taken by the close of the cycle. Such filers continue to be followed up as a priority in the subsequent filing cycle until all the steps are fully satisfied.

28. As in previous cycles, the Ethics Office provided substantive and technical support and guidance to filers. It provided briefings on the financial disclosure programme, including conflict-of-interest management.

29. Verification of information submitted by filers, through random sampling, ensures accuracy and completeness. A total of 226 filers were selected for the 2016 cycle, with 288 filers selected for the 2017 cycle.

[4] This number includes filing staff from the Secretariat and other United Nations system entities that opt to outsource their financial disclosure services to the Secretariat.

[5] This number includes filing staff from the Secretariat and other United Nations system entities that opt to outsource their financial disclosure services to the Secretariat.

30. During the 2016 cycle, 152 filers (2.8 per cent) were identified as requiring review for the management of potential conflicts of interest. Of the total number of items, 9 per cent were related to financial holdings, 55 per cent to outside activities, 34 per cent to family relationships and 2 per cent to other categories. During the 2017 cycle, 127 filers (2.2 per cent) were identified. Of the total number of items, 5 per cent were related to financial holdings, 60 per cent to outside activities, 33 per cent to family relationships and 2 per cent to other categories.

31. The conflict-of-interest figures for the 2016 and 2017 filing cycles are generally consistent with those for previous years. The financial disclosure programme contributes to mitigation of the risk of conflicts of interest as identified in the enterprise fraud and corruption risk register.

32. The number of filers continues to grow, having risen from 1,704 filers in 2006 to 5,504 in 2016 and 5,811 in 2017. This trend may be due to the fact that approximately 20 per cent of the filers each year are first-time filers and the workforce is mobile and located in operationally diverse environments with increasingly decentralized authority, which increases the number of staff identified for filing.

33. The Ethics Office also administers the financial disclosure programme for other entities of the United Nations system that opt to outsource their financial disclosure services to the Secretariat and for the staff of the ethics offices of the funds and programmes. These entities participate on a cost-sharing basis. Such sharing facilitates a common approach and the harmonization of conflict-of-interest management standards across the common system and helps to bring down the unit cost. While filers from the Secretariat and peacekeeping operations constitute the majority, the number of filers from other United Nations system entities has increased, rising from 339 in 2006 to 2,267 in 2016 and 2,465 in 2017.

34. Pursuant to General Assembly resolution 63/250, filing data for 2016 and 2017, broken down by department or office, on (a) the number of individuals covered by the programme; (b) the number of individuals who have complied with their filing obligations; and (c) the number of individuals who have failed to comply with those obligations, are presented in the annex to the present report.

35. During the reporting period, the Ethics Office worked closely with the Office of Information and Communications Technology to develop a new information technology platform to replace the one that had been in use since 2007. Pursuant to General Assembly resolution 66/234, this effort began in 2016 and was completed in 2017. The new financial disclosure system leverages newer technology and more vigorous data security in line with the overall information technology architecture of the United Nations. Launched on 1 March 2018, the new system was brought into operation as from the 2018 filing cycle.

36. Pursuant to paragraph 62 of resolution 70/305, the Ethics Office facilitated the submission of the financial disclosure statements of the President of the General Assembly at its seventy-first session upon his assumption and completion of duties, and the submission of those of the President of the Assembly at its seventy-second session upon his assumption of duties in 2017.

37. As the contract with the external reviewer of the financial disclosure programme was due to expire on 31 January 2018, a competitive procurement process was initiated in 2017 in cooperation with the Procurement Division. The Ethics Office participated in the technical evaluation of submitted proposals.

38. Under the Secretary-General's annual voluntary public disclosure initiative for senior officials at the level of Assistant Secretary-General and above, public summaries of the disclosures of those officials provide assurance to the public and Member States that the performance of their official functions is not influenced by

personal interests. Only those senior officials whose confidential statements are completed and closed by the end of the disclosure cycle can participate. The General Assembly, in its resolutions 67/255 and 71/263, urged the Secretary-General to encourage senior officials to participate in the initiative.

39. In 2016, of the 163 senior officials eligible to participate in the voluntary public disclosure initiative, 115 (or 70.6 per cent) did so. In 2017, 95 of the 142 eligible senior officials (or 66.9 per cent) participated. Overall participation rates remained largely in line with those in previous years.

40. In addition to participating in the financial disclosure programme and the voluntary public disclosure initiative, key management personnel make disclosures regarding their related-party transactions, under the International Public Sector Accounting Standards (IPSAS). The aggregated outcome of the reviews conducted by the Ethics Office is included in the Secretariat's IPSAS-compliant financial statements. The purpose of such disclosures is to ensure that the financial statements of the United Nations disclose the existence of relationships and transactions between the United Nations and defined related parties. The Ethics Office conducts a review to determine whether any conflicts of interest exist in relation to the United Nations duties of key management personnel and their related-party transactions, and recommends appropriate action. The summary review report was provided to the United Nations Controller and was examined to the satisfaction of the Board of Auditors.

Figure VI
Financial disclosure participation by entity and filing year, 2013–2017

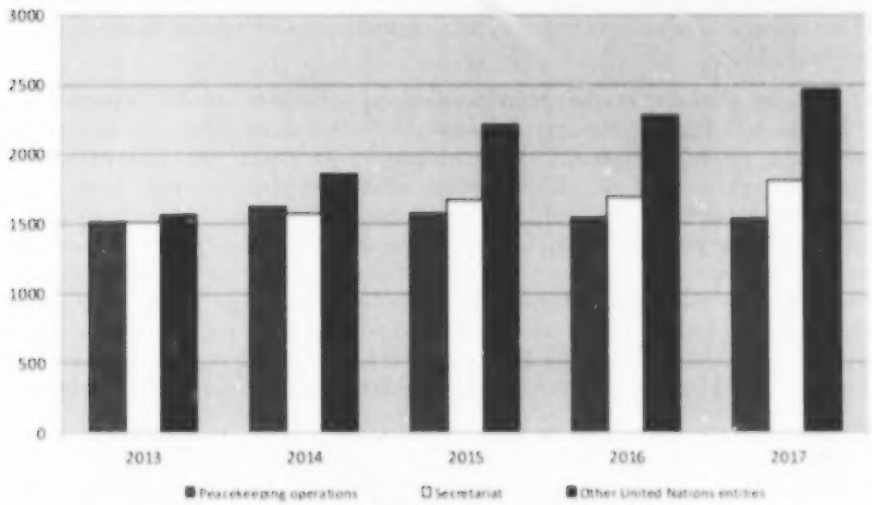


Table 1
Financial disclosure participation by entity and filing year, 2013–2017

	Peacekeeping operations	*Secretariat*	*Other United Nations entities*	*Total*
2013	1 508	1 505	1 560	4 573
2014	1 622	1 566	1 855	5 043
2015	1 564	1 666	2 210	5 440

	Peacekeeping operations	*Secretariat*	*Other United Nations entities*	*Total*
2016	1 538	1 692	2 274	5 504
2017	1 534	1 808	2 469	5 811

C. Protection against retaliation

41. The Ethics Office carries out the responsibilities assigned to it in the Secretary-General's bulletin on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations. From 1 August 2016 to 19 January 2017,[6] the applicable bulletin was ST/SGB/2005/21; from 20 January to 27 November 2017, it was ST/SGB/2017/2; and as from 28 November 2017 onwards, it has been ST/SGB/2017/2/Rev.1. The policy constitutes an essential anti-corruption measure and a deterrent against other prohibited conduct such as sexual misconduct; it is designed to encourage the reporting of potential wrongdoing and to serve as an internal accountability mechanism.

42. Under the policy on protection against retaliation, the Ethics Office receives complaints of alleged retaliation and conducts preliminary reviews to determine whether the complainant was engaged in a protected activity and, if so, whether the protected activity was a contributing factor in causing the alleged retaliation. If the Ethics Office determines that a prima facie case of retaliation has been established, the burden of proof shifts, as the matter is referred to the Office of Internal Oversight Services (OIOS) for investigation. The Ethics Office may recommend interim protection measures to safeguard the interests of the complainant. Once the investigation has been completed, the Ethics Office conducts an independent review of the report and the supporting materials to determine whether retaliation has been established.

43. Major changes in the Secretary-General's bulletin of 20 January 2017 (ST/SGB/2017/2) included: (a) the ability of the Ethics Office to recommend preventive protective measures upon referral from OIOS; (b) protection from retaliation against staff who, in the interests of the Organization, report wrongdoing committed not only by other staff, but also by any individual; (c) a preliminary review period of 30 days upon the receipt of all documentation; (d) the right of complainants to seek the review of determinations of the Ethics Office by the Alternate Chair of the Ethics Panel of the United Nations after the preliminary review and to challenge an administrative decision based on a final recommendation of the Office through the system of administration of justice; and (e) the notification of complainants with respect to disciplinary measures taken against staff members found to have retaliated against them.

44. The major changes introduced in ST/SGB/2017/2/Rev.1 included: (a) the extension of protection against retaliation to individual contractors and consultants; (b) as a possible remedial action, the transfer of the person who allegedly engaged in retaliation (with due consideration given to relevant due process rights); and (c) the annual review of the policy on protection against retaliation.

45. From 1 August 2016 to 31 December 2017, the Ethics Office received 112 related enquiries, of which 54 were requests for advice about the policy rather than claims for protection, 10 were outside the Office's jurisdiction and 3 were abandoned during preliminary review. A total of 36 preliminary reviews were

[6] Although ST/SGB/2005/21 was in force until 20 January 2017, no claims regarding protection against retaliation were filed with the Ethics Office between 1 and 20 January 2017.

completed, including one by the Alternate Chair after referral. In 2017, the Office dealt with seven requests for preventive action and conducted two Ethics Panel reviews.[7]

Period from 1 August through 31 December 2016

46. The Ethics Office received 20 enquiries under the policy. Of these, six were requests for advice, rather than claims for protection, and one was outside the Office's jurisdiction. Staff members raising workplace concerns not covered by the policy were referred to appropriate offices, including the Office of the United Nations Ombudsman and Mediation Services, the Management Evaluation Unit, the Office of Staff Legal Assistance and the Office of Human Resources Management. Staff members reporting misconduct were directed to the appropriate channels.

47. Pursuant to section 4.3 of the Secretary-General's bulletin entitled "United Nations system-wide application of ethics: separately administered organs and programmes" (ST/SGB/2007/11 and ST/SGB/2007/11/Amend.1), the Director of the Ethics Office, in her capacity as Chair of the Ethics Panel of the United Nations, reviewed one determination made by a member of the Panel, with which she concurred.

48. The Ethics Office initiated 13 preliminary reviews, of which 10 were completed. Two claims had been abandoned by the staff members concerned as at 31 December 2016, and one preliminary review had not been completed by the Office as at 31 December 2016 owing to a potential conflict of interest and was referred to the Alternate Chair of the Ethics Panel. With respect to the 10 completed preliminary reviews, seven of the claims reviewed did not present a prima facie case of retaliation. Regarding those cases, it was determined that either the complainant had not engaged in an activity protected by the policy or the protected activity had not been a contributing factor in causing the alleged retaliation.

49. The Ethics Office determined that there were three prima facie cases and referred them to OIOS for investigation,[8] with retaliation established in two cases[9] and not established in one.[10]

Period from 1 January through 31 December 2017

50. The Ethics Office received 92 enquiries under the policy. Of these, 48 were not claims for protection, but rather requests for advice, while 9 were outside the Office's jurisdiction (see figure VII for a breakdown of the action taken on the enquiries and table 2 for a comparison with previous reporting periods).

51. The Director of the Ethics Office, in her capacity as Chair of the Ethics Panel of the United Nations, reviewed three determinations of no prima facie case by Panel members.[11] With respect to two of the determinations, she concurred; with respect to the other, she reversed the finding.

52. Pursuant to section 5 of ST/SGB/2017/2 and ST/SGB/2017/2/Rev.1, OIOS will refer a case to the Ethics Office where it has identified the report of wrongdoing made to the Office as posing a risk of retaliation. Following such a referral, the Ethics Office may recommend preventive measures to the office or department concerned. In 2017,

[7] However, a total of four Ethics Panel reviews were conducted during the reporting period, as a result of the previous receipt of two requests that were not included in the total number cited.

[8] Two cases were received during the reporting period and were referred to OIOS for investigation in 2017.

[9] Retaliation was established in late 2017 in one case and in early 2018 in another.

[10] Retaliation was not established in early 2018.

[11] One request was from 2016 and therefore is not reflected in figure VII.

OIOS made seven such referrals. Upon consultation with the claimants, the Ethics Office recommended preventive actions in three of the cases: the extension of a temporary appointment, the placement of the staff member on special leave with full pay, and notification of senior management in the Secretariat regarding the case for monitoring purposes.

53. The Ethics Office initiated 26 preliminary reviews during the reporting period; as at 31 December 2017, 22 cases had been completed and one claim had been abandoned. With respect to the 22 completed preliminary reviews, 14 claims[12] did not present a prima facie case. The majority of the cases concerned workplace disputes between the complainants and their colleagues or supervisors.

54. In three claims, the complainant requested review by the Alternate Chair of the Ethics Panel in 2017. In one case, the Alternate Chair reversed the determination and found that the matter raised a prima facie case, which was referred to OIOS for investigation. In two cases, the Ethics Office's determination that there was no prima facie case of retaliation was upheld.

55. With respect to nine claims,[13] the Ethics Office determined that there was a prima facie case of retaliation. The claims were referred to OIOS for investigation. In eight of the cases, the Ethics Office recommended to the Secretary-General that interim measures be taken. All of the interim measures recommended were implemented. They included suspension of termination of contract, special leave with full pay, suspension of e-performance, change in first reporting officer and transfer of the claimant to another duty station. In one case, with the consent of the complainant, the Ethics Office recommended that the relevant office initiate informal resolution. The informal process was unsuccessful, and the matter was eventually referred to OIOS.

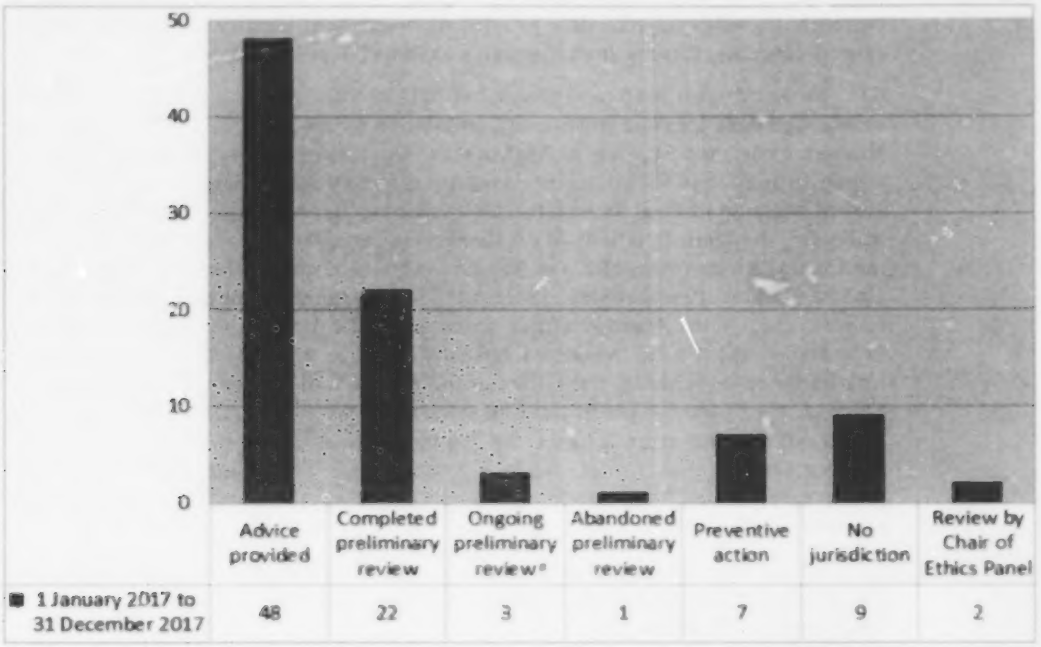
56. In 2017, the Ethics Office made a finding of retaliation after investigating in five cases (two were initiated in 2015, and three were initiated in 2016). Investigations were completed in four of the cases referred to OIOS in 2017, and retaliation was established in two cases in early 2018.

57. In 2017, the Ethics Office spent an average of 26 days on the conduct of its preliminary reviews, which was in line with the 30-day timeline set forth in section 7.4 of the policy on protection against retaliation.

[12] With respect to one claim in which the Ethics Office did not find a prima facie case of retaliation, the Alternate Chair of the Ethics Panel of the United Nations subsequently reversed the determination made.

[13] In one case, the preliminary review was initiated in 2016 and completed in 2017.

Figure VII
Actions taken on enquiries relating to protection against retaliation, 2017



[a] The three remaining preliminary reviews pending with the Ethics Office were completed in early 2018; the Office found a prima facie case of retaliation in two cases and referred the matters to OIOS for investigation.

Table 2
Protection against retaliation statistics, August 2014–December 2017

	August 2014–July 2015	*August 2015–July 2016*	*August 2016–December 2016*	*January 2017–December 2017*
OIOS referral for preventive measures	Not applicable	Not applicable	Not applicable	7
Completed preliminary review	14	17	10	22
Prima facie determination	0	6	2[a]	10[b]
Determination of retaliation after investigation	0	4[c]	2[d]	–[e]

[a] Does not include one claim initiated during the period that was referred to OIOS for investigation in 2017.
[b] Includes one claim where the Ethics Office did not find a prima facie case of retaliation and was subsequently reversed by the Alternate Chair of the Ethics Panel of the United Nations.
[c] Includes two claims that were initiated and referred to OIOS for investigation in 2015, with respect to which retaliation was established in 2017, and two claims that were initiated and referred to OIOS for investigation in 2016, with respect to which retaliation was established in 2017.
[d] Includes two claims that were initiated during the reporting period, with respect to which retaliation was established in late 2017 and early 2018.
[e] Does not include the five claims where retaliation was established in 2017 with respect to cases initiated in previous years.

58. The Ethics Office continued its efforts to advise and educate staff on relevant internal misconduct reporting mechanisms as well as on the provisions of the policy on protection against retaliation.

D. Outreach, training and education

59. In collaboration with other offices, the Ethics Office continued to conduct outreach, training and education to fulfil its mandate to identify and address ethics-related concerns, thereby strengthening a shared ethical culture.

60. From 1 August 2016 to 31 December 2017, the Ethics Office conducted outreach missions to the Economic and Social Commission for Asia and the Pacific, the United Nations Assistance Mission in Afghanistan, the United Nations Military Observer Group in India and Pakistan, the United Nations Office on Drugs and Crime, the United Nations Office at Vienna, the African Union-United Nations Hybrid Operation in Darfur, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, the Regional Service Centre in Entebbe, Uganda, the United Nations Peacekeeping Force in Cyprus, the Economic Commission for Europe, the United Nations Office at Geneva, the United Nations Environment Programme, the United Nations Interim Mission in Kosovo, the United Nations Interim Force in Lebanon, the Office of the United Nations Special Coordinator for Lebanon, the Economic and Social Commission for Western Asia, the Office for Outer Space Affairs, the secretariat of the United Nations Framework Convention on Climate Change, the United Nations Interregional Crime and Justice Research Institute, the United Nations Interim Security Force for Abyei and the United Nations Mission in South Sudan.

61. It held town halls, provided guidance on conflicts of interest and confidential ethics advice to individuals, and gave ethics briefings tailored to groups at Headquarters and in the field.

62. As endorsed by the General Assembly in its resolution 65/247, the Ethics Office continued to give individual ethics induction briefings for senior leaders to set the right "tone at the top". The Director conducted 31 briefings for newly appointed senior officials at the level of Assistant Secretary-General and above and senior mission staff. Customized briefings were also provided upon request to judges, legal officers, human resources officials, executive officers and newly appointed heads of offices for the funds and programmes. As in the previous year, the Office presented briefings to intergovernmental and expert bodies upon request.

63. During the reporting period, the Executive Office of the Secretary-General and the Ethics Office launched the 2016 and 2017 Leadership Dialogues, entitled "Fraud awareness and prevention: how do I fit in?" (based on ST/IC/2016/25) and "Standards of conduct: what's expected of me?" (based on ST/SGB/2016/9). The dialogues provided an opportunity for staff and managers to discuss ethics and integrity issues. In 2016, some 27,830 United Nations personnel (15,330 at Headquarters and 12,500 at field missions) participated. In 2017, approximately 30,300 personnel (15,500 at Headquarters and 14,800 at field missions) participated.

64. The mandatory online ethics course entitled "Ethics and integrity at the United Nations" was completed by 4,791 staff members, which brought the cumulative total to 17,661. In addition, the Ethics Office, together with OIOS and the Department of Management, completed the development of the e-learning course entitled "Preventing fraud and corruption at the United Nations", which was completed by 1,040 staff members.

65. The Ethics Office website continues to be key to providing essential information on ethical values and standards to both United Nations personnel and the general public. Between 1 August 2016 and 31 December 2017, the website received 137,756 page views and 99,875 unique page views. It is available in English on iSeek and

www.un.org/en/ethics, as well as on the sites of the five other official languages of the United Nations.

66. The Ethics Office shared broadcasts and iSeek articles on gifts during the December holiday period and on the financial disclosure programme prior to the annual filing month of March.

E. Standard-setting and policy support

67. The Ethics Office continued to provide advice and support to other departments and offices and various United Nations entities in developing policies and standards pertaining to ethics and integrity at the institutional, individual and process levels. The topics included the Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat, a code of ethics and/or code of conduct for various categories of personnel and country offices, a code of conduct for United Nations staff employing domestic workers, vetting for conflicts of interest, the personal use of social media and the application of standards of conduct for the international civil service.

68. At the request of the Secretary-General, as contained in his report entitled "Special measures for protection from sexual exploitation and abuse: a new approach" (A/71/818 and A/71/818/Corr.1), the Ethics Office reviewed the regulatory frameworks on the prohibited conduct of sexual harassment and sexual exploitation and abuse. The related report prepared by the Office helped to enhance understanding of sexual misconduct in the workplace as well as applicable provisions aimed at its prevention and remediation.

69. The Ethics Office served as the Secretariat's lead technical substantive contributor to the thematic reports prepared by the Joint Inspection Unit entitled "Review of mechanisms and policies addressing conflict of interest in the United Nations system" and "Review of whistle-blower policies and practices in United Nations system organizations".

70. The Office provided advice on potential areas of risk involving the engagement of certain types of personnel and their contractual arrangements, to minimize reputational risk to the Organization while enhancing the Organization's ability to tap into their special skills and expertise. Such personnel include seconded uniformed personnel and those serving under "when actually employed", one-dollar-per-year or consultant contractual arrangements.

71. At the invitation of the Office of Human Resources Management and in support of the Secretariat's first United Nations Staff Engagement Survey, conducted in 2017, the Ethics Office provided suggestions regarding questions on ethics and integrity.

IV. Ethics Panel of the United Nations and Ethics Network of Multilateral Organizations

72. Established in December 2007 pursuant to the Secretary-General's bulletin ST/SGB/2007/11 and ST/SGB/2007/11/Amend.1, the Ethics Panel of the United Nations, originally known as the United Nations Ethics Committee, is mandated to create a unified set of ethical standards and policies for the Secretariat and separately administered organs and programmes. It consults on important and complex ethics matters having system-wide implications. The Ethics Panel is chaired by the Director of the Ethics Office. The Ethics Adviser of the United Nations Population Fund served as Alternate Chair from October 2016 to September 2017, with the Ethics Adviser of the United Nations Children's Fund serving as from October 2017.

73. The Ethics Panel is composed of the heads of the ethics offices of the funds and programmes and the Secretariat. Pursuant to ST/SGB/2007/11 and ST/SGB/2007/11/Amend.1, the Ethics Office provides ethics-related services to the staff of those separately administered organs and programmes that have not yet designated an ethics officer.

74. The Ethics Panel commemorated the tenth anniversary of its establishment, holding a special meeting on 13 April 2017 with the Secretary-General. Panel members benefited from a direct dialogue with him on the importance of enhancing an organizational culture of integrity, transparency and accountability and the role of ethics offices in that regard. The Secretary-General placed special emphasis on the Organization's policy of zero tolerance for sexual harassment and sexual exploitation and abuse and on the need to prevent and address them in a timely manner.

75. From August 2016 to December 2017, the Ethics Panel held 15 meetings. In addition, its members regularly consulted one another on a wide range of issues. The Panel reviewed the annual reports prepared by member ethics offices and relevant policies pertaining to or having significant implications for their core mandated areas of work. These included the terms of reference of the Ethics Office, the policy on system-wide application of the ethical standards under which the Panel was established, and the Secretariat's policy on protection against retaliation.

76. The Ethics Panel reviewed issues relating to the Organization's policy of zero tolerance for sexual harassment and sexual exploitation and abuse. The role of the ethics function was emphasized in providing advice and guidance on expected staff behaviour and ways to prevent sexual harassment and sexual exploitation and abuse, in line with the Organization's relevant policies and procedures.

77. The Ethics Panel also devoted its attention to harmonizing approaches to conflict-of-interest management through vetting, financial disclosure and conflict-of-interest disclosure programmes. It discussed pre-appointment vetting in the Secretariat and in some other entities to review staff at various levels during the recruitment process. The Panel held a consultation with the Joint Inspection Unit in support of its system-wide study on conflicts of interest.

78. A working group on gifts was established within the Ethics Panel to review existing policies and practices of various entities in relation to gifts.

79. The Ethics Panel worked to develop a common approach to staff engagement in outside activities, particularly political activities and the use of social media, to ensure the independence and impartiality of their status as international civil servants.

80. As indicated in section III.C above, the Chair of the Ethics Panel consulted its members in her independent review of four matters referred by the staff members concerned from their respective funds or programmes. One determination was upheld in August 2016. With respect to the three reviews carried out in 2017, one case was reversed and the other two were upheld. The ethics offices in question are recused from the reviews of their determinations in such cases to preserve the independence of the process.

81. As also indicated in section III.C, the Alternate Chair of the Ethics Panel conducted a preliminary review of one complaint upon the referral of the Director of the Ethics Office. The Alternate Chair also independently reviewed three determinations made by the Office, upholding two of them and reversing one.

82. The Ethics Panel is the sole mandated and formalized ethics mechanism in the United Nations system and the broader intergovernmental arena. The Ethics Office and other Panel members continued to participate in the activities of the Ethics Network of Multilateral Organizations. The Network was established in June 2010 in

support of the Secretary-General's efforts to promote system-wide collaboration on ethics-related issues within the United Nations family. Serving as a broad forum for United Nations system entities, affiliated international organizations and international financial institutions, the Network provides support for professional development, benchmarking and the exchange of information with regard to ethics policies and practices.

83. The membership of the Ethics Network of Multilateral Organizations continued to grow through the participation of intergovernmental organizations having consultative and collaborative arrangements with the United Nations system. The ninth meeting of the Network, held in Rome from 11 to 14 July 2017, was hosted by the Director of the Ethics Office of the World Food Programme and chaired by the Director of the Ethics Office of the United Nations Development Programme.

84. Enhancing collaboration with and supporting United Nations system entities and other international organizations, the Ethics Office responded to multiple requests regarding financial disclosure, conflict-of-interest management, ethics training, database management, and protection against retaliation for whistle-blowers. Advice and guidance were provided to 16 entities.

V. Observations and conclusion

85. The period from August 2016 to December 2017 witnessed significant changes in the operations of the United Nations and the Ethics Office.

86. Foremost among those changes was the assumption of duties by the ninth Secretary-General of the United Nations, who proposed a set of reforms, including management reforms aimed at streamlining programming and budgeting, delegating managerial authority and demanding greater accountability, as well as a new architecture aimed at strengthening effectiveness and accountability. Through greater delegation of authority entrusted to staff for greater effectiveness of the Organization, a culture of integrity, transparency and accountability is enhanced.

87. The contributions of a preventive ethics function, providing behavioural guidance and just-in-time advice on "grey" areas of conduct, could be invaluable for the culture of the Organization. Moreover, in keeping up to date with the latest administrative and technical innovations, the international civil service should continue to demonstrate the highest degree of independence, impartiality, integrity, efficiency, probity, transparency and accountability. Shifting the management paradigm from insufficient or slow action, due to risk-averseness, towards greater and faster action is facilitated by identifying risks and mitigating them prior to taking action.

88. In respect of reputational risks, ethics training and frequent communications about standards of conduct can prevent unintended ethical lapses, inappropriate behaviour in the workplace or poor judgment due to ignorance. The 2016 Leadership Dialogue, on preventing fraud and corruption, and the 2017 Dialogue, on standards of conduct, served to communicate zero tolerance for certain behaviours and encouraged staff to observe the highest professional and ethical standards.

89. Financial and outside-interest disclosures and ethics advice can prevent or manage conflicts of interest, reducing opportunities for fraud, corruption, nepotism and other unethical acts as well as protecting innocent staff from the appearance of misconduct. To make more efficient the confidential disclosure and safeguarding of information, the Ethics Office and the Office of Information and Communications Technology developed and rolled out a new online filing platform.

90. The protection of staff who report wrongdoing and cooperate with duly authorized audits and investigations encourages internal reporting of problems and serves as a deterrent to those tempted to engage in misconduct. An enhanced protection policy was introduced by the Secretary-General in January 2017 and further strengthened in November 2017. With a view to the effective implementation of this enhanced policy, the General Assembly approved an additional post for the Ethics Office, starting in 2018.

91. The value of the preventive ethics function was demonstrated when, for the first time in the United Nations, the Presidents of the General Assembly at its seventy-first and seventy-second sessions took part in the financial disclosure programme and their offices received ethics induction briefings. The current Secretary-General participated in pre-appointment interest disclosure vetting prior to taking office. Such developments help to maintain public trust and credibility with respect to the United Nations and provide a role model for leadership.

92. When the Ethics Panel of the United Nations commemorated its tenth anniversary, the Secretary-General recognized that the ethics function had taken root within the United Nations system.

93. The increasing membership in the Ethics Network of Multilateral Organizations also shows that the ethics function is spreading among intergovernmental and multilateral organizations.

94. As requested by the General Assembly in its resolution 71/263, the following measures for strengthening the independence of the Ethics Office are proposed:

(a) Direct annual reporting by the Ethics Office on its activities to the General Assembly, in line with the practice of OIOS and as recommended by the Joint Inspection Unit;

(b) Adding a reporting line to the Independent Audit Advisory Committee for guidance with respect to the Office's workplans and the performance evaluation of the Head of the Office for greater operational independence, while enhancing the accountability of the Office; and, in situations in which the Secretary-General may not be in a position to receive advice from the Office on matters owing to a conflict of interest, the Head of the Office may consult with the Advisory Committee, which may bring a matter to the attention of the Assembly, as appropriate;

(c) Raising the rank of the Head of the Ethics Office from the Director (D-2) level to the level of Assistant Secretary-General (starting with the next Head of the Office) with a view to greater visibility and given the importance accorded to the ethics function;

(d) Introducing term limits for the Head of the Office to one five-year term, with the possibility of renewal for one additional term, in line with the term limit established by the Assembly for the United Nations Ombudsman. Such term limits could be applicable to the incumbent Head of the Office as from the beginning of the incumbent's next appointment;

(e) Ensuring security of tenure for the Head of the Office for greater operational independence by allowing termination of appointment only for cases of serious misconduct or unsatisfactory performance;

(f) Restricting re-employment for the Head of the Office, with no possibility of other employment within the Secretariat, in line with the restrictions applicable to the United Nations Ombudsman.

95. In relation to the request for data regarding gifts, a global gift registry is being piloted in New York. The Ethics Office provides advice and guidance to all staff on honours, decorations, favours, gifts and remuneration.

96. **The General Assembly is requested to take note of the present report. The Assembly is also requested to approve recommendations for strengthening the independence of the Ethics Office, as requested by the Assembly in paragraph 45 of resolution 71/263 and as outlined in paragraph 94 (a), (b) and (c) above, and to take note of paragraph 94 (d), (e) and (f) above.**

Annex

Financial disclosure programme compliance level, 2016 and 2017

A. 2016

United Nations entity	*Required filings*	*Completed filings*	*Incidences of non-compliance*
United Nations Secretariat			
Advisory Committee on Administrative and Budgetary Questions secretariat	2	2	–
United Nations System Chief Executives Board for Coordination secretariat	3	3	–
Counter-Terrorism Committee Executive Directorate	3	3	–
Department for General Assembly and Conference Management	24	24	–
Department of Economic and Social Affairs	49	49	–
Department of Management	210	210	–
Department of Political Affairs, including special political missions	387	387	–
Department of Public Information	40	40	–
Department of Safety and Security	20	20	–
Economic and Social Commission for Asia and the Pacific	71	71	–
Economic and Social Commission for Western Asia	40	40	–
Economic Commission for Africa	132	132	–
Economic Commission for Europe	11	11	–
Economic Commission for Latin America and the Caribbean	99	99	–
Ethics Office	13	13	–
Executive Office of the Secretary-General	19	19	–
International Criminal Tribunal for Rwanda	1	1	–
International Tribunal for the Former Yugoslavia	30	30	–
International Residual Mechanism for Criminal Tribunals	28	28	–
Office for Disarmament Affairs	4	4	–
Office for the Coordination of Humanitarian Affairs	35	35	–
Office of Administration of Justice	2	2	–
Office of Internal Oversight Services	11	11	–
Office of Legal Affairs	22	22	–
Office of the United Nations High Commissioner for Human Rights	20	20	–
Office of the United Nations Ombudsman and Mediation Services	3	3	–
Office of the President of the General Assembly	5	5	–
Office of the Special Adviser on Africa	4	4	–
Office of the Special Envoy of the Secretary-General for the Sudan and South Sudan	1	1	–

United Nations entity	*Required filings*	*Completed filings*	*Incidences of non-compliance*
Office of the Special Envoy of the Secretary-General for the Great Lakes Region	7	7	–
Office of the Special Representative of the Secretary-General for Children and Armed Conflict	1	1	–
Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict	3	3	–
Office of the Special Representative of the Secretary-General on Violence against Children	1	1	–
Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States	3	3	–
Peacebuilding Support Office	3	3	–
Regional Commissions New York Office	1	1	–
Special Court for Sierra Leone	1	1	–
Office of the Special Envoy of the Secretary-General for Syria	9	9	–
Special Tribunal for Lebanon	32	32	–
United Nations Joint Staff Pension Fund	78	78	–
United Nations Office to the African Union	4	4	–
United Nations Conference on Trade and Development	22	22	–
United Nations Office at Geneva	94	94	–
United Nations Office at Nairobi	46	46	–
United Nations Office at Vienna	17	17	–
United Nations Office on Drugs and Crime	81	81	–
Subtotal (excluding peacekeeping operations)	**1 692**	**1 692**	**–**
Peacekeeping operations	1 538	1 538	–
United Nations bodies/agencies and others	2 274	2 274	–
Total	**5 504**	**5 504**	**–**

B. 2017

United Nations entity	*Required filings*	*Completed filings*	*Incidences of non-compliance*
United Nations Secretariat			
Advisory Committee on Administrative and Budgetary Questions secretariat	2	2	–
United Nations System Chief Executives Board for Coordination secretariat	3	3	–
Counter-Terrorism Committee Executive Directorate	4	4	–
Department for General Assembly and Conference Management	25	25	–
Department of Economic and Social Affairs	49	49	–
Department of Management	190	190	–
Department of Political Affairs	451	451	–

United Nations entity	*Required filings*	*Completed filings*	*Incidences of non-compliance*
Department of Public Information	40	40	–
Department of Safety and Security	21	21	–
Economic and Social Commission for Asia and the Pacific	92	92	–
Economic and Social Commission for Western Asia	54	54	–
Economic Commission for Africa	135	135	–
Economic Commission for Europe	8	8	–
Economic Commission for Latin America and the Caribbean	95	95	–
Ethics Office	13	13	–
Executive Office of the Secretary-General	20	19	1
International Tribunal for the Former Yugoslavia	30	30	–
International Residual Mechanism for Criminal Tribunals	47	47	–
Office for Disarmament Affairs	7	7	–
Office for the Coordination of Humanitarian Affairs	55	55	–
Office of Administration of Justice	2	2	–
Office of Internal Oversight Services	13	13	–
Office of Legal Affairs	23	23	–
Office of the United Nations High Commissioner for Human Rights	21	21	–
Office of the United Nations Ombudsman and Mediation Services	3	3	–
Office of the President of the General Assembly	5	5	–
Office of the Special Adviser on Africa	4	4	–
Office of the Special Envoy of the Secretary-General for the Sudan and South Sudan	1	1	–
Office of the Special Envoy of the Secretary-General for the Great Lakes Region	3	3	–
Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict	2	2	–
Office of the Special Representative of the Secretary-General on Violence against Children	3	3	–
Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States	4	4	–
Office of the Special Envoy of the Secretary-General for Syria	8	8	–
Peacebuilding Support Office	6	6	–
Regional Commissions New York Office	1	1	–
Residual Special Court for Sierra Leone	1	1	–
Special Tribunal for Lebanon	28	28	–
United Nations Joint Staff Pension Fund	73	73	–
United Nations Office to African Union	4	4	–
United Nations Conference on Trade and Development	22	22	–
United Nations Office at Geneva	95	95	–

United Nations entity	*Required filings*	*Completed filings*	*Incidences of non-compliance*
United Nations Office at Nairobi	43	43	–
United Nations Office at Vienna	16	16	–
United Nations Office on Drugs and Crime	86	86	–
Subtotal (excluding peacekeeping operations)	**1 808**	**1 807**	**1**
Peacekeeping operations	1 534	1 533	1
United Nations bodies/agencies and others	2 469	2 469	–
Total	**5 811**	**5 809**	**2**